

Exhibit F

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GEORGE MOORE, VIRGINIA §
CARTER, JAMES JILEK, §
FRANCIS JAYE, and §
SEAN MADELMAYER, on behalf §
of themselves and all §
others similarly situated, § CASE NO.:
§
Plaintiffs, § 4:18-cv-01962-SEP
§
v. §
§
COMPASS GROUP USA, INC., §
D/B/A CANTEEN, §
§
Defendant. §

ORAL AND VIDEOTAPED DEPOSITION OF
FRANCES J. IVERY
28th day of March, 2023

ORAL AND VIDEOTAPED DEPOSITION OF
FRANCES J. IVERY, produced as a witness at the
instance of the Defendant, and duly sworn, was
taken in the above-styled and numbered cause on the
28th day of March, 2023, from 10:03 a.m. to 12:53
p.m., before Daniel J. Skur, Notary Public and
Certified Shorthand Reporter in and for the State
of Texas, reported by stenographic means, at the
offices of K&L Gates, 1717 Main Street, Suite 2800,
Dallas, Texas, pursuant to the Federal Rules of
Civil Procedure.
Job No. 5835207

1 Q. Oh.

2 A. Yeah.

3 Q. And there were no records within your
4 Navy Federal --

5 A. No.

6 Q. You've got -- got to let me finish.

7 A. Oh, sorry.

8 Q. After reviewing your Navy Federal
9 records, you did not see any purchase from a
10 vending machine, right?

11 A. No.

12 Q. Is that correct, though?

13 A. Correct, yes.

14 Q. Okay. So then you looked at One
15 Resource [sic], right?

16 A. Uh-huh.

17 Q. Yes?

18 A. Yes.

19 Q. When did you do that?

20 A. The first time I went, I got -- well, I
21 tried to look online. I didn't have access to it
22 anymore, and then I called. They told me I had to
23 go into the actual bank. So I went last week
24 finally and got them printed out. And not because
25 they hadn't been asking me for them. It's because

1 I fly a lot. I'm an airline employee.

2 Q. And we'll get into all that --

3 A. Uh-huh.

4 Q. -- certainly.

5 Okay. What -- when did you stop using
6 One -- One Resource?

7 A. The end of 2019, uh-huh.

8 Q. And what years' bank statements did you
9 have them print out?

10 A. Just 2019.

11 Q. Just the one year?

12 A. Uh-huh.

13 Q. Okay. And did you review the printout
14 of those statements?

15 A. Yes.

16 Q. And did you see purchases from a vending
17 machine?

18 A. I did.

19 Q. How many did you see?

20 A. Well, one occurrence -- and knowing me,
21 it could have been a couple of items, but I was
22 able to find that one.

23 Q. Okay. Okay. Let's talk about your
24 background a little bit. First, can I ask your --
25 I don't mean to be impolite or inpolitic, what's

1 Q. Okay. Are you familiar with Compass' or
2 Canteen's vending machines?

3 A. I wouldn't know who owned a vending
4 machine, no.

5 Q. So you wouldn't be able to distinguish a
6 Canteen machine from any other --

7 A. No.

8 Q. -- machine?

9 That's a correct statement?

10 A. Yes.

11 Q. Okay. Do you know if you've ever
12 purchased any items from a Compass or a Canteen
13 vending machine?

14 A. I know now. Yeah, I know, uh-huh.

15 Q. And how do you know that now?

16 A. It's on my bank statement.

17 Q. So explain to me -- you said that there
18 were -- there's a vending machine at Love Field
19 that you went to; is that correct?

20 A. Yes.

21 Q. Okay. Do you remember how many times
22 you've used your debit or credit card at a vending
23 machine?

24 A. No, I don't remember.

25 Q. Based on your review of your bank

1 beverages or strictly snacks?

2 A. I do not remember.

3 Q. Do you know if it was sandwiches or
4 snacks like chips?

5 A. I cannot remember.

6 Q. Do you know if the vending machines
7 changed during your time working for Alaska
8 Airlines?

9 A. I don't know that.

10 Q. Do you know if any of the vending
11 machines were Coca-Cola branded machines?

12 A. I cannot tell you that.

13 Q. What led you to believe that it was a
14 Compass or a Canteen machine?

15 A. I'm not sure what you're asking me. How
16 would I know that? There's no signs on them.

17 Q. Okay. Well, you filed a lawsuit against
18 Compass, correct?

19 A. Right, but the statement says CMS.

20 Q. Why don't we start with this?

21 MR. CORNFELD: Before you go into
22 that --

23 MR. BROTMAN: You want to take a break?

24 MR. CORNFELD: Yeah, since you're --

25 MR. BROTMAN: Sure. That's fine.

1 Q. How did you know -- well, strike that.

2 So is it your contention that the \$3.25
3 charge was not the price displayed for the items
4 you purchased?

5 A. Exactly. I thought it was a lot for a
6 vending machine.

7 Q. But you don't know what those items
8 were?

9 A. No. No.

10 Q. Or what the correct price should have
11 been?

12 A. Right. I don't remember.

13 Q. Okay. Looking at the transaction entry,
14 do you have any idea what MWJ LLC is?

15 A. No.

16 Q. Do you have any reason to believe that
17 MWJ LLC is affiliated with Compass in any way?

18 A. No. I don't know.

19 Q. Have you ever done research into what
20 MWJ LLC is?

21 A. No.

22 Q. Has anyone ever told you what MWJ LLC
23 is?

24 A. No.

25 Q. Are you aware that MWJ LLC is not

1 affiliated with Compass?

2 A. No.

3 Q. You indicated earlier that you travel
4 frequently, right?

5 A. Yes.

6 Q. Okay. Did you travel a lot because of
7 your employment with Alaska Airlines?

8 A. No.

9 Q. You traveled because you work with the
10 GoGo Pet?

11 A. Yes.

12 Q. Have you ever traveled to Atlanta,
13 Georgia?

14 A. All the time.

15 Q. Do you know if you traveled to Atlanta,
16 Georgia, in March of 2019?

17 A. I can't remember.

18 Q. Is it possible that on March 14th, 2019,
19 you had traveled to Georgia and made a purchase in
20 Georgia?

21 A. I can't remember. I -- I have lots. As
22 a matter of fact, on my bank records, there's lots
23 of Delta Airline things on there. And that's where
24 you go to Atlanta all the time from here. Yeah.

25 Q. So is it possible that this purchase

1 Q. You don't keep a log or anything like
2 that?

3 A. No, not from 2019.

4 Q. And the machine that you purchased from,
5 do you remember how it worked?

6 A. I don't, no.

7 Q. Do you remember how you would select
8 items?

9 A. Clear -- clarify that.

10 Q. Okay. Some machines would have buttons
11 where you push A6 or --

12 A. Oh, yeah. No, I can't remember that.

13 Q. Okay.

14 A. That's too long ago. I've slept since
15 then.

16 Q. Okay. Do you remember if there were any
17 labels on the machine at all?

18 A. I can't remember anything.

19 Q. Do you remember if there were any phone
20 numbers on the machine?

21 A. I can't remember.

22 Q. How would you pay for your purchase,
23 then?

24 In other words, what is the -- the
25 method you would use, would it be a tap, swipe?

1 Q. Yes?

2 A. To get rid of it. Yes.

3 Q. Do you know what the breakdown between
4 how often you would use cash versus credit or
5 debit?

6 A. No. There's no method.

7 Q. For any cash purchases, do you have any
8 proof of those purchases?

9 A. No.

10 Q. Do you know when the first time you used
11 a debit or credit card on a vending machine was?

12 A. No.

13 Q. Do you know if it's -- or ever any other
14 purchases besides the one reflected on the
15 March 14th, 2019, statement?

16 A. Oh, I'm pretty sure.

17 Q. But you've not found any record of those
18 anywhere?

19 A. No.

20 Q. Do you know approximately how often you
21 would make purchases from the vending machine at
22 Love Field?

23 A. No.

24 Q. Do you know how often you would make
25 purchases from vending machines in general?

1 Plaintiff Jaye made purchases with her debit
2 card -- they did get the pronoun correct there,
3 right?

4 A. Right, "her."

5 Q. Okay.

6 -- with her debit card at Defendants' --

7 A. Uh-huh.

8 Q. -- vending machines throughout the city
9 of Dallas, including Dallas Love Field.

10 A. Right.

11 Q. Do you have any basis to believe that it
12 was Defendants' vending machines?

13 A. No.

14 MR. CORNFELD: Personally rather than
15 investigation of Counsel.

16 A. Yeah, other than...

17 BY MR. BROTMAN:

18 Q. Do you have -- you've no personal
19 basis --

20 A. No.

21 Q. -- to know whether or not it was
22 Defendants' machines?

23 A. No.

24 Q. Is that correct?

25 A. Yes.

1 Q. Okay. And you went to both of your
2 banks?

3 A. Yes.

4 Q. And received hard copies of your
5 statements?

6 A. Yes. No, on -- on Navy Federal, I was
7 able to print them off.

8 Q. Okay.

9 A. But I had to go physically to the bank
10 to get Resource One.

11 Q. Okay.

12 A. Because I had already closed the account
13 and moved on totally over to Navy Federal.

14 Q. And did you look anywhere else for any
15 relevant documents?

16 A. No.

17 Q. Is there anything -- anyplace that you
18 can think of where any relevant documents would be?

19 A. No.

20 Q. Okay. Did you ever speak to any of your
21 coworkers at Love Field about the vending machines?

22 A. No.

23 Q. Did you ever tell any of your coworkers
24 at Love Field or from Alaska Airlines that the
25 vending machines overcharged?

REPORTER'S CERTIFICATION

I, DANIEL J. SKUR, CSR and Notary Public in and for the State of Texas, hereby certify that the witness was duly sworn and that this transcript is a true record of the testimony given by the witness;

That pursuant to Rule 30 of the Federal Rules of Civil Procedure, signature of the witness was not reserved by the witness or other party before the conclusion of the deposition;

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken. Further, I am not a relative or employee of any attorney of record in this cause, nor am I financially or otherwise interested in the outcome of the action.

Subscribed and sworn to by me this day, the 11th day of April, 2023.



Daniel J. Skur, CSR
Notary Public, State of Texas
My Commission Expires 7/7/2026
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